IN THE MATTER OF

LEEDS METAL SITE
Leeds, Androscoggin County, Maine
PROCEEDING UNDER 38 M.R.S.A.
SECTION 1365, UNCONTROLLED
HAZARDOUS SUBSTANCE SITES LAW

) DESIGNATION OF
)UNCONTROLLED HAZARDOUS
) SUBSTANCE SITE

Jurisdiction

This Designation of an Uncontrolled Hazardous Substance Site is made pursuant to the authority vested in the Commissioner of the State of Maine Department of Environmental Protection (Commissioner) under the **Uncontrolled Hazardous Substance Sites Law, 38 M.R.S.A., Section 1361-1371.**

Findings of Fact

1. The Leeds Metal Site (herein after referred to as the Site) is located on Blue Rock Road in Leeds, Maine. The Site consists of 36 acres identified on the Town of Leeds Tax Map 4 as Lot 38. The Site is bound to the east by Maine Central Railroad tracks, to the north by Blue Rock Industries, to the west by Route 106, and to the south by wetlands. The Site is depicted on Figure 1 hereto attached and made a part of this Designation.

2. The Site is located in primarily a rural residential area with the exception of Blue Rock Industries, a sand/gravel and concrete facility adjacent to the northern property boundary. Homes on Route 106 are served by private residential wells. The closest residential well is located approximately 100 feet south of the Site property boundary.

3. The Site is located on a significant sand and gravel aquifer as depicted on the Maine Geological Survey, Significant Sand and Gravel Aquifer Map, Monmouth Quadrangle, 1998.

4. Aerial photographs taken of the property in 1964 do not show a scrap metal facility but indicate the Site had been mined for sand and gravel. The historic name for the Site is Libby's Pit.

5. Maine Central Railroad (MCRR), owner of the property, leased it to several operators. A lease and other operational records identify National Metal Converters, Inc., as operator of a car shredder facility on the Site from 1969 to 1976. A crane lifted the entire vehicle into the shredder. Two diesel locomotives on a railroad spur powered the shredder. The shredded auto parts were segregated into ferrous and non-ferrous piles. The salvaged metal was sent out on rail and the upholstery and non salvaged materials were piled in the abandoned gravel excavation pits.

6. In 1976, National Metal Converters, Inc. transferred the lease to Michael Schiavone and Sons for continued operation of the auto shredder facility. A 1976 aerial photograph depicts the car shredding operation at its peak with hundreds of cars stored onsite and a large fluff pile. Other scrap metal recovery operations, battery, insulated wire, transformers, are depicted in the 1976 aerial photograph.

7. Leeds Metal, Inc. leased the Site in 1980 from MCRR to remove scrap salvage. Leeds Metal collected scrap metal and iron from International Paper Co., Boise Cascade, and local businesses, according to information received by the Department in response to a Request for Information letter. Aerial photographs taken in 1980 show no evidence of a car shredding process operating on Site. Cars and other scrap metals activities depicted in the 1976 aerial photo are not apparent in 1980.

8. In 1983, DEP visited the Site in response to a complaint of a leaking transformer on Site. During this visit DEP observed numerous drums, both full and empty, electrical transformers and assorted metal objects. DEP staff sampled 13 of the 27 drums of oil and analyzed them for PCB's. None of the samples had PCB concentrations greater than 50 ppm. MCRR agreed to dispose of the drums and transformers properly.

9. DEP staff observed during the 1983 Site visit, numerous debris piles including an approximately 30-foot high shredder residue (fluff) pile. The fluff pile is defined as the segregated non-ferrous material produced during the automobile shredding process. Visibly stained soil were reported in the areas referred to in the 1983 DEP Oil and Hazardous Materials Spill Report as the incinerator, burned out electrical transformers, and drum storage areas.

10. William Morgan III leased the Site from MCRR from May 1984-October 1984 to remove scrap salvage.

11. In 1987, the DEP received a second report of abandoned drums at the property. DEP visited the Site and determined that MCRR had not properly removed the drums it had agreed to remove in 1983. DEP directed MCRR to remove and properly dispose of the drums. MCRR retained Seacoast Ocean Services to characterize and dispose of the drums. Seacoast Ocean Services removed nineteen drums containing a total of 1045 gallons of waste oil.

12. In 1997 the Department conducted a Site visit in response to allegations of hazardous substances potentially released to the soil during the auto shredding and scrap metal recovery operations as described above. In 1997, Maine Department of Environmental Protection (DEP), Division of Remediation investigated the Site for the US Environmental Protection Agency under the MSCA Site Discovery Project. The purpose of the Site Discovery Report was to document whether hazardous substances have been discharged at the Site.

13. DEP conducted soil sampling on October 24, 1997 in areas that were most likely impacted by auto shredding and metal recovery activities. Soil samples were collected from 15 locations where 1976 aerial photography indicated the majority of reclamation activities occurred. Soil samples were analyzed for metals, PCBs, and diesel range organics (DRO).

14. The analytical results from samples collected at 15 locations on October 24, 1997, documented hazardous substances are present in the Site soil. See attached Table 1.

- PCBs were detected in all 15 soil samples collected at the Site. Total PCB concentration levels in soil exceeded the draft Maine Remedial Action Guidelines (RAGs) for residential level of 2.2 mg/kg in six locations.

- Soil samples from each location were analyzed for mercury, silver, cadmium, chromium, lead, selenium, barium, and arsenic. Cadmium was detected at two locations above the RAG. The highest detected cadmium level was 155 mg/kg, exceeding the RAG (27 mg/kg) for soil.

- Lead was detected above the RAG (375mg/kg) at 13 locations. The highest lead level, 12,000 mg/kg, was detected at location SDP-112.

- Arsenic was detected above the RAG (10 mg/kg) at 12 locations. The highest arsenic level detected was 48 mg/kg.

- Diesel range organics (DRO) were detected at all 15 soil sample locations. The highest level of DRO detected was 80,000 mg/kg, 86,630 mg/kg total petroleum hydrocarbons (TPH).

15. In September of 1998, Environmental Resources Management (ERM), consultant to MCRR, installed eleven temporary groundwater monitoring well points at the Site. The purpose was to provide a preliminary evaluation of groundwater quality at the site. Tetrachloroethene (PCE) was detected in one of the monitoring well points, MW-8 at 270 ug/l, far exceeding the state Maximum Exposure Guideline (MEG) of 3 ug/l. Arsenic was detected at concentrations exceeding the federal Maximum Contaminant Level (MCL's) at seven sampling locations. Lead was detected at concentrations that exceed the MCL's at ten sampling locations. See attached Table 2.

16. 38 M.R.S.A., Chapter 13B (Waste Management, Uncontrolled Hazardous Substance Sites), Section 1362(1) defines "hazardous substance" as:

A. Any substance identified by the Board of Environmental Protection under 38 M.R.S.A., Section 1319-0 [hazardous waste];

B. Any substance identified by the Board under 38 M.R.S.A., Section 1319 [hazardous matter];

C. Any substance designated pursuant to the United States Comprehensive Environmental Response, Compensation and Liability Act of 1980, Public Law 96-510, Sections 101 and 102 [Superfund];

D. Any toxic pollutant listed under the United States Federal Water Pollution Control Act, Section 307(a);

E. Any hazardous air pollutant listed under the United States Clean Air Act, Section 112;

F. Any imminently hazardous chemical substance or mixture with respect to which the Administrator of the United States Environmental Protection Agency has taken action pursuant to the United States Toxic Substances Control Act, Section 7; and

G. Waste oil as defined in 38 M.R.S.A., Section 1303-C.

17. The substances listed in Table 1 and Table 2 are hazardous substances within the meaning of 38 M.R.S.A., Section 1362(1). These substances have been stored, spilled, or disposed of at the Site in such a manner that they have been or are being released or discharged into the soil and ground water.

Based on the above Findings of Fact, the Commissioner concludes:

1. Hazardous substances as defined in 38 M.R.S.A., Section 1362(1) have come to be located at the Leeds Metal Site, in Leeds, Maine. These substances have entered the soil and ground water at the Site.

2. Hazardous substances located at and being released from the Site pose a threat or hazard to the public health, safety or welfare and to the natural environment.

3. There is a continued danger to the public health or safety of any person or to the environment exists as a result of the continued presence of hazardous substances at the Site.

4. Remedial action is necessary to abate the threat, danger, or hazard to public health or safety and to the environment posed by the Site.

5. The Designation does not constitute a cleanup order and therefore is not ripe for review until and unless a cleanup order is issued under M.R.S.A. 1365 (1)(2) and (4).

6. Maine Central Railroad, owner of the property, is a responsible party as defined in 38 M.R.S.A § 1362.

7. National Metal Converters, Inc., Michael Schiavone and Sons, William Morgan III, and Leeds Metal, Inc., operators at the Site, are responsible parties as defined in 38 M.R.S.A. § 1362.

THEREFORE, pursuant to 38 M.R.S.A., Section 1365, the Commissioner hereby DESIGNATES the Leeds Metal Site in Leeds, Maine an Uncontrolled Hazardous Substance Site.

DONE AND DATED AT AUGUSTA, MAINE THIS 28 DAY OF Sept, 2000.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Martha G. Kirkpatrick

Martha G. Kirkpatrick
Commissioner

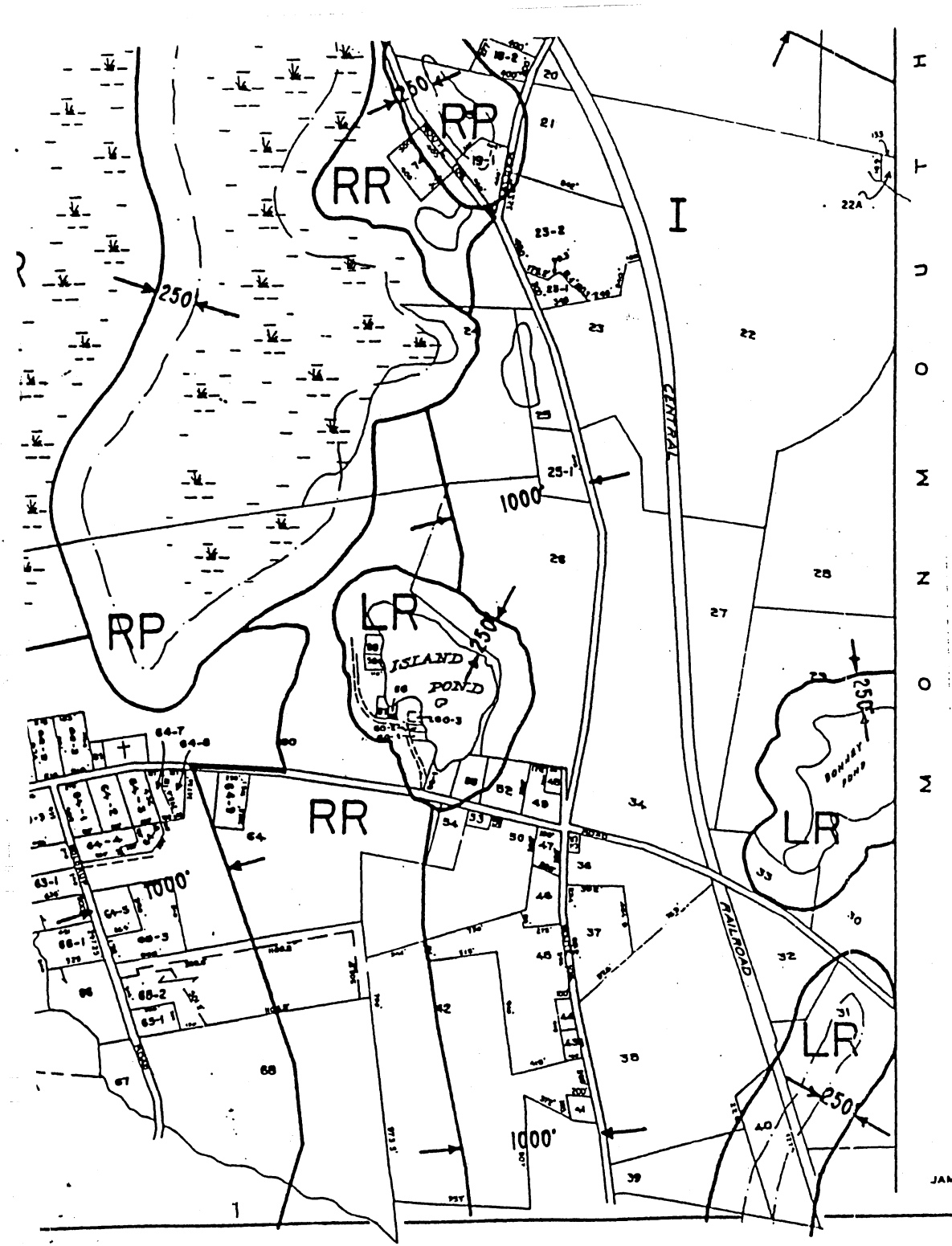

Figure 1

APR 1 1996

PROPERTY MAP
TOWN OF LEEDS
ANDROSCOGGIN COUNTY, MAINE
PREPARED BY
JAMES W. SEWALL COMPANY OLD TOWN, MAINE
SCALE 1 INCH = 500 ± FEET

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Contaminant	soil standard	SDP-101	SDP-102	SDP-103	SDP-104	SDP-105	SDP-106	SDP-107	SDP-108
mercury	60	0.77	0.82	0.65	0.36	0.35	0.22	0.64	0.21
silver	950	ND	24	ND	ND	1.6	1.3	ND	ND
cadmium	27	18	24	18	155	17	58	7.8	3.7
chromium	no standard	79	300	60	80	83	170	39	39
lead	375	1100	2600	920	500	1100	5100	1500	330
selenium	950	6.8	7.7	4.5	7.3	7.8	18	ND	K4
barium	10000	740	780	500	270	740	2600	300	200
arsenic	10	17	20	15	13	20	48	8.9	7.9
total PCBs	2.2	9.89	18.84	1.24	1.74	0.93	0.42	1.02	1.18
aroclor 1248	see total pcbs	5.82	2.74	0.81	0.21	ND	ND	ND	0.13
aroclor 1260	see total pcbs	4.69	16.1	0.43	1.53	0.93	0.43	1.02	1.05
diesel range org.	no standard	2080	9600	80800	445	851	393	440	8920
total petro. hydro.	no standard	3575	11000	86300	921	1600	602	908	16700

Contaminant	soil standard	SDP-109	SDP-110	SDP-111	SDP-112	SDP-113	SDP-114	SDP-115
mercury	60	0.68	0.75	0.83	0.87	3.07	0.74	0.14
silver	950	ND	K0.4	2.1	2	1.5	ND	ND
cadmium	27	47	19	14	28	80	22	1.9
chromium	no standard	150	100	87	200	95	72	20
lead	375	1400	1800	9500	12000	5200	1200	150
selenium	950	16	8.8	6.4	15	11	7.3	ND
barium	10000	950	470	580	670	640	760	74
arsenic	10	29	19	11	34	29	16	4.8
total PCBs	2.2	4.42	3.37	1.93	12.23	3.58	0.25	0.3
aroclor 1248	see total pcbs	ND	0.14	0.59	3.29	0.31	ND	ND
aroclor 1260	see total pcbs	4.42	3.23	1.34	8.94	3.27	0.25	0.3
diesel range org.	no standard	1780	1200	1230	14700	1750	3670	518
total petro. hydro.	no standard	3920	2360	2210	39900	3590	8000	859

Soil Standard - The soil standard number given is based on the Maine Department of Environmental Protection's draft Remedial Action Guidelines for Hazardous Substances in Soil using the "residential" guideline.

Table 1 - Soil Analysis Results

Leeds Metal - Leeds

Site Discovery Report

Sample Results in milligrams per killogram

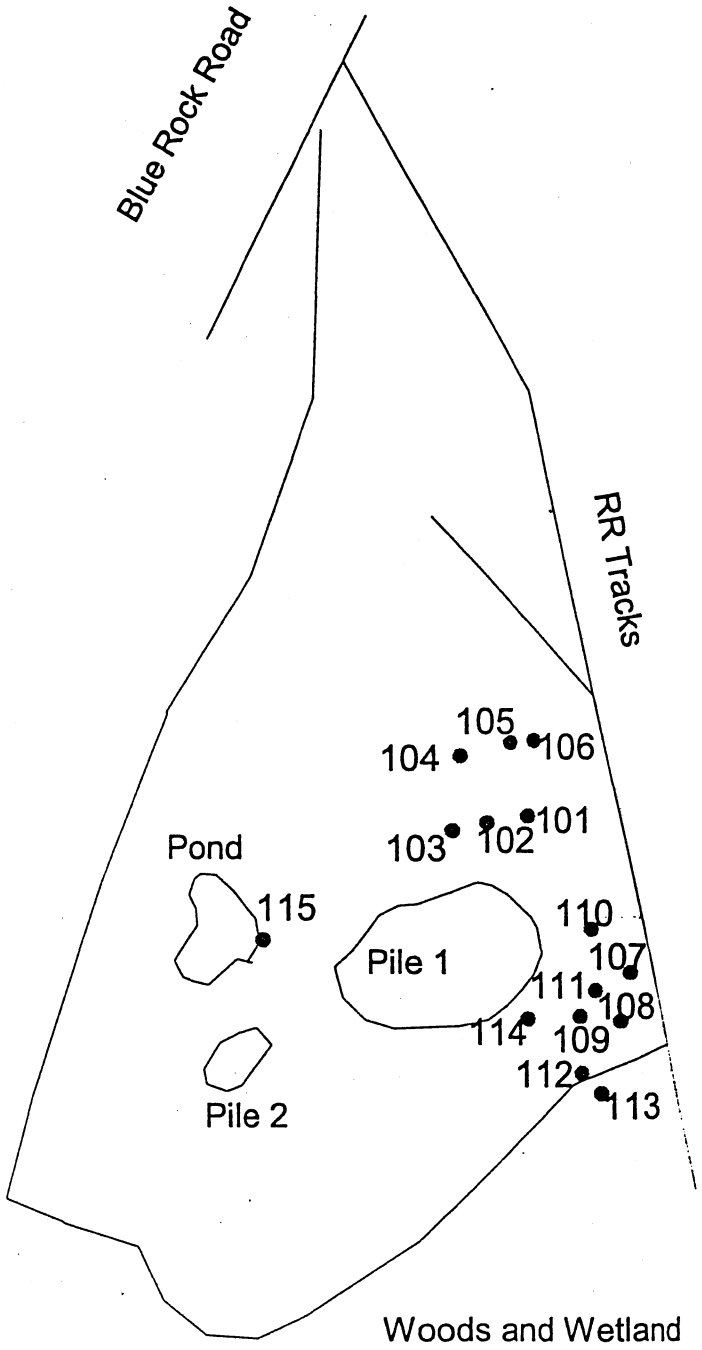
Shading indicates result above soil standard

ND indicates non detect

K indicates less than (<)

Leeds Metal Site, Leeds, Maine

Surface Soil Sample Locations



100 0 100 Feet

Table 2
Groundwater Analytical Results
Former Leeds Metal Site
Leeds, Maine

Sample I.D.	Maine MEG	Federal MCL	MW-1	MW-2	MW-3	MW-4	MW-5	MW-6
Date Sampled	(mg/l)	(mg/l)	17-Sep-98	16-Sep-98	16-Sep-98	16-Sep-98	17-Sep-98	16-Sep-98
Organic								
Volatile Organic Compounds								
(VOCs) by EPA Method 8260 (mg/l)								
Tetrachloroethene	0.003	0.005	-	-	-	-	-	-
Polychlorinated Biphenyls	NS	NS	-	-	-	-	-	-
(PCBs) by EPA Method 8080 (mg/l)								
Inorganic								
Total RCRA 8 Metals								
Metals by EPA Method 3015 (mg/l)								
Arsenic	NS	0.05	0.044	0.141	0.15	0.114	0.079	0.167
Barium	1.5	2.0	0.22	0.28	0.81	1.0	0.31	1.5
Chromium	0.1	0.1	0.07	0.13	0.35	0.38	0.16	0.36
Lead	NS	0.015	-	0.07	0.08	0.07	0.09	0.11
Other								
Total Petroleum Hydrocarbons	NS	NS	-	-	-	-	-	-
(TPH) by EPA Method 8100M (mg/l)								

Notes:
- = Not Detected above Method Detection Limits
NS - No Standard Available
MEG - Maine Maximum Exposure Guideline
MCL - Maximum Contaminant Level
Shaded values indicate exceedance

Table 2
Groundwater Analytical Results
Former Leeds Metal Site
Leeds, Maine

Sample I.D.	Maine MEG	Federal MCL	MW-7	MW-8	MW-9	MW-10	MW-11	BED-1	EQBLK-1
Date Sampled	(mg/l)	(mg/l)	16-Sep-98	17-Sep-98	17-Sep-98	16-Sep-98	17-Sep-98	17-Sep-98	17-Sep-98
Organic									
Volatile Organic Compounds									
(VOCs) by EPA Method 8260 (mg/l)									
Tetrachloroethene	0.003	0.005	-	0.27	0.13	-	-	-	-
Polychlorinated Biphenyls	NS	NS	-	-	-	-	-	-	-
(PCBs) by EPA Method 8080 (mg/l)									
Inorganic									
Total RCRA 8 Metals									
Metals by EPA Method 3015 (mg/l)									
Arsenic	NS	0.05	0.045	0.152	0.031	0.148	0.022	-	-
Barium	1.5	2.0	0.31	0.96	0.38	0.78	0.15	0.05	-
Chromium	0.1	0.1	0.08	0.56	0.12	0.28	0.06	-	-
Lead	NS	0.015	-	0.11	0.02	0.08	0.02	0.04	-
Other									
Total Petroleum Hydrocarbons	NS	NS	-	-	-	-	-	-	-
(TPH) by EPA Method 8100M (mg/l)									

Notes:
- = Not Detected above Method Detection Limits
NS - No Standard Available
MEG - Maine Maximum Exposure Guideline
MCL - Maximum Contaminant Level
Shaded values indicate exceedance